

AMENDED IN SENATE JULY 10, 2003

AMENDED IN SENATE JUNE 25, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1771

**Introduced by Committee on Water, Parks and Wildlife
(Canciamilla (Chair), Berg, Corbett, Frommer, Goldberg,
Kehoe, Lowenthal, Matthews, Parra, Pavley, and Wolk)**

March 12, 2003

~~An act to amend Section 11361 of the Government Code, and to add
Section 79600 to the Water Code,~~

*An act relating to state government, and declaring the urgency
thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1771, as amended, Committee on Water, Parks and Wildlife. State government.

~~(1) The California Administrative Procedure Act sets forth the requirements for the adoption and revision of regulations, guidelines, and criteria by state agencies generally. The adoption or revision of regulations, guidelines, or criteria to implement specified provisions of law are exempted from specified provisions of the act.~~

~~This bill would include among those exemptions regulations, guidelines, or criteria to implement the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002.~~

~~(2) The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 authorizes the issuance and sale of general obligation bonds for the purpose of carrying out various programs authorized under its provisions.~~

~~This bill would require the cost of issuance of these bonds to be paid out of the bond proceeds, to be shared proportionately by each program funded pursuant to the act. It would also require the actual costs incurred in connection with administering programs authorized under its provisions to be paid from the proceeds of the bonds.~~

~~(3) Appropriations~~ *Under existing law, appropriations* for the support of various state programs are made through the annual Budget Act, subject to certain restrictions.

This bill would provide that the provisions of a specified section of the Budget Act of 2002 that apply to the items of the Budget Act that are augmented by appropriations made pursuant to specified provisions of law *relating to public resources*, are also applicable to those augmentations.

~~(4)~~ This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 11361 of the Government Code is~~
- 2 ~~amended to read:~~
- 3 ~~11361. (a) This chapter does not apply to the adoption or~~
- 4 ~~revision of regulations, guidelines, or criteria to implement any of~~
- 5 ~~the following acts:~~
- 6 ~~(1) The Safe Neighborhood Parks, Clean Water, Clean Air, and~~
- 7 ~~Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley~~
- 8 ~~Act) (Chapter 1.692 (commencing with Section 5096.300) of~~
- 9 ~~Division 5 of the Public Resources Code).~~
- 10 ~~(2) The California Clean Water, Clean Air, Safe Neighborhood~~
- 11 ~~Parks, and Coastal Protection Act of 2002 (Chapter 1.696~~
- 12 ~~(commencing with Section 5096.600) of Division 5 of the Public~~
- 13 ~~Resources Code).~~
- 14 ~~(3) The Water Security, Drinking Water, Coastal and Beach~~
- 15 ~~Protection Act of 2002 (Division 26.5 (commencing with Section~~
- 16 ~~79500) of the Water Code).~~

1 ~~(b) The adoption or revision of regulations, guidelines, or~~
2 ~~criteria, if necessary to implement the acts described in~~
3 ~~subdivision (a), shall instead be accomplished by means of a public~~
4 ~~process reasonably calculated to give those persons interested in~~
5 ~~their adoption or revision an opportunity to be heard.~~

6 SEC. 2. ~~Section 79600 is added to the Water Code, to read:~~
7 ~~79600. (a) The cost of issuance of bonds authorized under~~
8 ~~this division shall be paid out of the bond proceeds. These costs~~
9 ~~shall be shared proportionately by each program funded pursuant~~
10 ~~to this division.~~

11 ~~(b) The actual costs incurred in connection with administering~~
12 ~~programs authorized under this division shall be paid from the~~
13 ~~proceeds of the bonds authorized under this division.~~

14 SEC. 3.—

15 SECTION 1. The provisions of Section 2.00 of the Budget Act
16 of 2002 (Chapter 379 of the Statutes of 2002) that apply to the
17 items of the Budget Act that are augmented by appropriations
18 made pursuant to the following provisions, are also applicable to
19 those augmentations:

20 (a) Sections 3 to 5, inclusive, of Chapter 727 of the Statutes of
21 2002.

22 (b) Section 7 of Chapter 983 of the Statutes of 2002.

23 (c) Section 2 of Chapter 984 of the Statutes of 2002.

24 (d) Sections 2 and 4 of Chapter 1126 of the Statutes of 2002,
25 and Sections 21 and 24 of Chapter 1127 of the Statutes of 2002.

26 SEC. 4.—

27 SEC. 2. This act is an urgency statute necessary for the
28 immediate preservation of the public peace, health, or safety
29 within the meaning of Article IV of the Constitution and shall go
30 into immediate effect. The facts constituting the necessity are:

31 In order to provide for the efficient administration of state funds
32 at the earliest possible time, it is necessary for this act to take effect
33 immediately.